ON BEING MENTIONED

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THE HONOURABLE SRI JUSTICE K.C. BHANU

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WRIT PETITION No.11374 of 2005

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ORDER:

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When the matter was called on 30.08.2005, none appeared for the respondents. After hearing the counsel for the petitioner, the order was dictated. After dictation of the order on 30.08.2005, the learned Government Pleader for Civil Supplies appeared and requested the Court to post this matter for being mentioned. Accordingly, the matter is posted to today i.e. 31.08.2005 for being mentioned.

Today, on being mentioned, the matter is taken up for hearing. During the course of hearing, the learned counsel for the petitioner contended that the machines in question falls under Category-1 of the schedule, and whereas, the Government pleader for Civil Supplies contended that the machines in question shall fall under category-2 of the Schedule. Stamping has to be done in case of the machines fall under category-1, under Section 41(3) of the Act, whereas, the stamping has to be done under Section 41(4) of the Act, if the instruments fall under category-2 of the Schedule.

Therefore, the respondents shall decide whether the machines in question falls under category-1 or category-2 of the Schedule and thereafter, shall proceed in accordance with law either under 41 (3) or 41 (4) of the Act. At the time of arguments, the learned counsel for the petitioner contended that he is not pressing the challenge of the memo dated 13.03.2005.

Accordingly, the writ petition is closed. No costs.

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(K.C. BHANU, J)

Date: 31.08.2005

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